

Message Text

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E.O. 11652: N/A
TAGS: ETRD, EAGR, ECIN, EC, GR
SUBJECT: THE GREECE-EC ASSOCIATION AGREEMENTS' PROVISION ON
TOBACCO TARIFFS

1. DURING THE RECENT E/C COUNSELORS' CONFERENCE, THE QUESTION
Arose whether the 1962 EC-GREEK ASSOCIATION AGREEMENT DOES INDEED
GIVE THE GREEKS A VETO OVER CHANGES IN THE EC COMMON EXTERNAL
TARIFF ON TOBACCO. THE ANSWER IN THEORY IS YES, BUT IN FACT IT
IS MUCH LESS CATEGORICAL.

2. PROTOCOL 10 OF THE ASSOCIATION AGREEMENT STATES, "UNTIL THE
END OF THE TRANSITIONAL PERIOD REFERRED TO IN ARTICLE 6 OF THE
ASSOCIATION AGREEMENT (STILL IN EFFECT BECAUSE THE AGREEMENT
WAS FROZEN DURING THE MILITARY DICTATORSHIP), THE PRIOR CONSENT
OF THE ASSOCIATION COUNCIL MUST BE OBTAINED FOR ANY MODIFICATION
OF ANY RATE IN THE COMMON CUSTOMS TARIFF WHICH EXCEEDS 20 PER-
CENT, ABOVE OR BELOW THE AD VALOREM RATE IN FORCE ON
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OCTOBER 1960 IN THE CASE OF THE FOLLOWING PRODUCTS: TOBACCO,
RAISINS, OLIVES, COLOPHONY, TURPENTINE ESSENCE. IN THE CASE OF
TOBACCO THE PROCEDURE LAID DOWN ABOVE SHALL ALSO APPLY TO ANY
MODIFICATION EXCEEDING 10 PERCENT OF THE MAXIMUM AND MINIMUM
SPECIFIC DUTIES."

3. ACCORDING TO THE COMMISSION REPRESENTATIVE HERE, HOWEVER,

THE LETTER OF THE ASSOCIATION AGREEMENT HAS NOT ALWAYS BEEN FOLLOWED IN PRACTICE. FOR EXAMPLE, HE SAID, DURING THE KENNEDY ROUND TARIFF NEGOTIATIONS, THE EC MADE A CONCESSION ON TOBACCO EX POST FACTO, EVEN AFTER THE GREEKS HAD REJECTED IT DURING THE ASSOCIATION COUNCIL CONSULTATIONS.

4. IT IS DIFFICULT TO PREDICT HOW A SIMILAR SITUATION WOULD BE HANDLED TODAY. ON THE ONE HAND, IN VIEW OF THE FACT THAT GREECE WILL BE A FULL MEMBER IN THE NOT-TOO-DISTANT FUTURE, THE EC MIGHT BE RELUCTANT TO ACT IN TOO CAVALIER A MANNER; ON THE OTHER HAND, BECAUSE THE GOG IS ANXIOUS TO CONCLUDE THE NEGOTIATIONS AND JOIN THE COMMUNITY AS SOON AS POSSIBLE, IT MAY NOT BE INCLINED TO INSIST ON THE LETTER OF THE AGREEMENT IF TOBACCO TARIFF CONCESSIONS BECOME A CONTENTIOUS ISSUE.
MCCLOSKEY

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